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February 29, 2008

Mr. Dale Bowyer
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, California 94612

**Subject: San Francisco Regional Water Quality Control Board
MRP Tentative Order Comments**

Dear Mr. Boyer:

This letter serves to indicate that the City of Orinda is in full support of the comments made to the MRP Tentative Order by both the Bay Area Stormwater Management Agencies Association and the Contra Costa Clean Water Program. This letter also serves to highlight three areas of the MRP Tentative Order that for the City of Orinda would be particularly onerous to implement with minimal improvement to water quality. These three areas are street sweeping (C.2), road rehabilitation (C.3), and trash reduction (C.10).

C.2.a. Street and Road Sweeping and Cleaning

Currently, the City of Orinda sweeps its 7 miles of commercial streets and its 12.5 miles of curbed residential streets. The commercial streets, located entirely in the downtown area, are swept on a weekly to biweekly basis, which is more frequent than the twice per month frequency required in the MRP Tentative Order for high frequency streets (see C.2.a.ii(2)). The curbed residential streets are currently swept on greater than a once average monthly rate, which exceeds the MRP Tentative Order for medium frequency streets. However, Provision C.2.a.i does not appear to include an exclusion for non-curbed streets. Elimination of this exclusion would remove the flexibility provided in the existing permit for municipalities to prioritize street sweeping to maximize pollutant (trash) removal. The MRP Tentative Order would effectively result in decreased sweeping of the downtown commercial area in order to re-allocate resources to meet the sweeping requirements for non-curbed streets.

C.3.b.i.(5)(a). Road Expansion or Rehabilitation Projects

The inclusion of arterial street rehabilitation projects that replace 10,000 square feet or more of impervious surface as regulated projects requiring compliance with Low Impact Development (C.3.c) is overly onerous. The City of Orinda has the unfortunate standing as having some of the worst roads in the Bay Area. Maintaining roads in good working order results in improved water quality, as opposed to roads where the asphalt is weathering away and being washed downstream into creeks during rain events. Compliance with this additional requirement will require regrading of the road and

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construction of stormwater treatment features in the right-of-way and will make rehabilitation of roads which are at the end of their useful life (where preventative maintenance is no longer an acceptable treatment) cost prohibitive. The MRP Tentative Order as such would make rehabilitation of arterial roads cost prohibitive and result in such roads remaining in disrepair, thus presenting public safety risks and degradation of water quality. The City is requesting that LID regulated projects exclude road rehabilitation projects.

C.10. Trash Reduction

This provision assumes that every city has high trash areas totaling at least 10% of their urban and suburban land. The primary high trash area for the City of Orinda is the downtown area and it comprises less than 5 percent of the total land area of Orinda; other localized trash hot spots have been identified in annual reports submitted to the Water Board and in total, comprise far less than 5 percent of the total land area of Orinda. Implementation of the measures prescribed in this Provision will result in public monies being unnecessarily wasted with little water quality benefit. The City proposes a more effective and measured approach as outlined in BASMAA's September 22, 2006 Performance Standard tables which include (1) identification and assessment of potential litter/high trash accumulation areas/watersheds, (2) identification of management actions to reduce trash levels in stormwater conveyances at such locations and identify current trash collection/control options for minimization of trash/litter inputs to storm drain inlets, (3) identification of high priority storm drain inlets within key urban areas/watershed that have had high accumulations of litter/trash to prioritize inlets for potential projects, and (4) select locations for pilot projects and implement demonstration studies to assess their effectiveness and associated costs.

The City appreciates in advance your thorough consideration of and response to these comments as well as those presented by BASMAA and the CCCWP.

Sincerely,



Janet Keeter
City Manager

cc: Mayor and Members of City Council
Contra Costa Clean Water Program
BASMAA